

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 19, 2007

**D050720      People v. Case**

The judgment is affirmed. Nares, J.; We Concur: McConnell, P.J., Irion, J.

**D051572      In re Nate T., a Juvenile**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rules 8.412(d)(1)(A) and 8.416(g). The appeal is dismissed.

**D050015      In re Gilberto T., a Juvenile**

The true findings on counts 1 and 3 are reversed; in all other respects, the judgment is affirmed. Irion, J.; We Concur: McIntyre, Acting P.J., O'Rourke, J.

**D051029      In re Fabian Z., a Juvenile**

The order is affirmed. Benke, Acting P.J.; We Concur: Nares, J., McDonald, J.

Court convened at 9:00 a.m.

Present: The Honorable Judith McConnell, Presiding Justice, and The Honorable Associate Justices Richard Huffman and Alex McDonald

Clerk: D. Moore

**D051108      In re Jesse W. et al., Juveniles**

Cause called on merits. Leslie A. Barry, Esq. argued for appellant. J. Jeffrey Bitticks, Deputy County Counsel argued for respondent. Carl Fabian, Esq. argued for appellant. Ms. Barry replied. Cause submitted.

Court adjourned at 10:27 a.m.

**D051281      In re Marriage of Schwartz**

Upon written request filed by appellant, the appeal is dismissed and the remittitur is ordered to issue immediately.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 20, 2007

**D047969      Oranen v. Bruckman**

The judgment is affirmed. Oranen shall recover his costs on appeal. Nares, Acting P.J.;  
We Concur: Haller, J., McIntyre, J.

**D048452      People v. Little**

The judgment is affirmed. Nares, Acting P.J.; We Concur: Haller, J., Irion, J.

**D051888      Carey S. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Kenneth W. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case as to Kenneth W. is dismissed.

**D042461      People v. Palacios**

We remand for resentencing as follows: the carjacking convictions must be stricken; the punishment for the kidnapping for robbery *or* the kidnapping for carjacking of Carr must be stayed pursuant to section 654; the court is to correct the enhancement on count 7 to reflect subdivision (b) of section 12022.53; and the court must determine the principal count among the determinate sentences. In all other respects, we affirm the judgment. McConnell, P.J.; I Concur: Huffman, J.; I Concur and Dissent: McDonald, J. (opinion)

**D050408      In re Nolan W., a Minor on Habeas Corpus**

The judgment of contempt is annulled. CERTIFIED FOR PUBLICATION  
McConnell, P.J.; We Concur: McIntyre, J., O'Rourke, J.

**D051078      In re Edward K., a Juvenile**

The judgment is affirmed. Haller, J.; We Concur: McConnell, P.J., McDonald, J.

**D051800      Andrea S. et al. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Andrea S. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

**D051793      April K. et al. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Alexander C. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

**D051640      Malaythong X. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Malaythong X. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 20, 2007 (Continued)

**D051737**       **Norma S. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

No timely petition for writ relief has been filed. The notice of intent is deemed to be abandoned. The case is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
November 21, 2007

**D049449      Bjork v. State Farm Fire and Casualty Company et al.**

The judgment is affirmed. CERTIFIED FOR PUBLICATION. Irion, J.; We Concur: Benke, Acting P.J., McDonald, J.

**D051890      In re the Marriage of Devries**

Because appellant did not timely pay the filing fee, the appeal is DISMISSED. (Cal. Rules of Court, rule 8.100(c)(5).)

**D051108      In re Jesse W. et al., Juveniles**

The order is affirmed. McConnell, PJ; I Concur: Huffman, J.; I Dissent: McDonald, J.  
CERTIFIED FOR PUBLICATION

**D052027      Russell H. v. Superior Court of San Diego County/Jordan H. et al.**

The petition is denied.

**D052022      Yamaha Motor Corporation U.S.A. et al. v. Superior Court of San Diego County/Fort et al.**

The trial in this matter is STAYED until further order of this court.

On or before December 5, 2007, petitioners are directed to provide further briefing explaining:

1. The differences among the relevant provisions of California's strict products liability law, the relevant provisions of the strict products liability law contained in the Restatement (Second) of Torts, and the relevant provisions of the strict products liability law contained in the Restatement (Third) of Torts.

2. Whether and in what regard these differences create a conflict between California law and federal maritime law.

3. Why petitioners' appellate remedy is inadequate.

Real parties in interest are directed to file an informal response to the petition and the supplemental briefing on or before December 19, 2007.